

~~COURTESY COPY~~

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

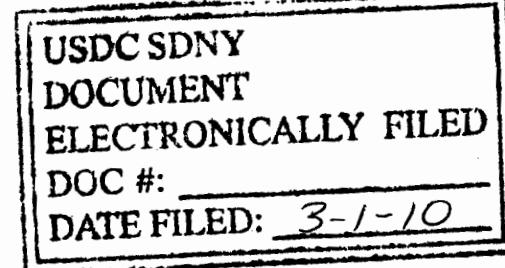
JOSE MONTEL CABELLERO, NATALIO
DEJESUS, RODRIGO DE LOS SANTOS, JAVIER
POLICARPIO, MAURICIO POLICARPIO,
DAVID POLICARPIO LURA, OBDULIO
GARCIA, LUIS ALBERTO, MIGUEL
MARTINEZ, JAIME BOLIVAR QUINCHE, LUIS
PANZA, NESTOR LAZO, PEDRO VELAZQUEZ,
BERNARDO CASTILLO, JORGE VASQUEZ,
AND DIRCIO VASQUEZ,

Plaintiffs,

v.

CHELSEA TOMATO, INC., MANGARONI, LLC,
WESTSIDE TOMATO, INC., 319 WEST 51st ST.
RESTAURANT, INC., MIDWEST TOMATO,
INC., ROBERT MALTA, ENRICO MALTA,
ROBERT DEBENEDICTIS, THOMAS BIFULCO,
TAREK ALAM, ANGELO NASTI, CESAR
SIQUENCIA, and JERRY CHOW,

Defendants.



No. 09 Civ. 5875 (JSR)

STIPULATION OF DISMISSAL

IT IS HEREBY STIPULATED AND AGREED by and among the Parties, that
the above-captioned action be dismissed in its entirety, with prejudice, with no award of counsel
fees or costs by the Court to either side.

AGREED TO, AND RESPECTFULLY SUBMITTED BY:

Dated: New York, New York
February 22, 2010

Berke-Weiss & Pechman LLP

Louis Pechman /jsm

Louis Pechman (LP-6395)
Jessica Tischler (JT-1582)
Berke-Weiss & Pechman LLP
488 Madison Avenue, 11th Floor
New York, NY 10022
(212) 583-9500 (direct)
(212) 308-8582 (facsimile)
*Attorneys for Defendants Chelsea Tomato,
Inc., Mangaroni, LLC, Westside Tomato,
Inc., Robert Malta, Enrico Malta, Tarek
Alam, Angelo Nasi, Cesar Siquencia, and
Luis Chauca*

LINKLATERS LLP

R.S./js

Joseph B. Schmit (JS-1243)
Joni Forster Galvin (JFG-0701)
Linklaters LLP
1345 Avenue of the Americas, 19th Floor
New York, NY 10105
(212) 903-9000 (Tel.)
(212) 903-9100 (Fax)
Attorneys for Plaintiffs

Greenberg Traurig LLP

Jerrold F. Goldberg
Jerrold F. Goldberg (JG-1471)
Greenberg Traurig LLP

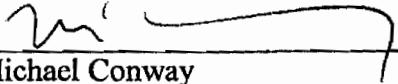
200 Park Avenue
New York, NY 10166
(212) 801-9209 (direct)
(212) 805-9209 (facsimile)
*Attorneys for Defendants 319 West 51st
Street Restaurant, Inc., Midwest Tomato,
Inc. and Thomas Bifulco*

Urban Justice Center

E. Tammy Kim
E. Tammy Kim (EK-5606)
Urban Justice Center

123 William Street, 16th Floor
New York, NY 10038-3800
(646) 459-3009
(212) 533-4598 (fax)
Attorneys for Plaintiffs

LeClair Ryan, P.C.


Michael Conway
LeClair Ryan, P.C.
830 Third Avenue, 5th Floor
New York, NY 10022
(212) 430-8032 (direct)
(212) 430-8062 (facsimile)
*Attorneys for Defendant Robert
DeBenedictis*

SO ORDERED:

Dated: New York, New York
February 27, 2010


Hon. Jed S. Rakoff